

REMARKS

Claims 1-17 are all the claims currently pending in this Application. Claims 2, 3, 5-9, 11, 12, and 14-17 are withdrawn. Thus, claims 1, 4, 10, and 13 are all the claims currently under consideration.

As a preliminary issue, Applicants note that the Examiner has mistakenly listed only claims 1, 4, 10, and 13 as pending. Applicants respectfully request that this error be corrected in the next Office communication.

Prior Art Rejections

Claims 1, 4, 10, and 13 are rejected under 35 U.S.C. § 102(e) as allegedly anticipated by Gilman. Applicants respectfully traverse this rejection.

Regarding claim 1, Applicants submit that Gilman fails to disclose any of “a transparency specification module that specifies a degree of transparency”, “a transparent range specification module that specifies an arbitrary range of an image as a transparent range”, and “a transparency setting module that ... sets a new degree of transparency of an image in the transparent range, based on a current setting of transparency ... and the degree of transparency specified by said transparency specification module.”

Gilman is generally direction to a method of correcting exposure in a digital image. According to Gilman, an exposure level of an image is adjusted using a control bar 356 (having a user-adjustable control position setting 358), and the image before correction is displayed on a screen 340 along with the image after exposure correction. Figure 4 illustrates a unit for adjusting the exposure. When a user moves the control position setting 358, the image data is modified to adjust brightness, mid-tones, and shadows based on changing exposure levels. When

the setting 358 is moved to the right, the image data is modified for a higher exposure level, and when the setting 358 is moved to the left, the image data is modified for a lower exposure level.

There is no disclosure in Gilman of any transparency specification module, as claimed. There is no disclosure of any specification of a *degree of transparency* of any portion of an image in Gilman. According to Gilman, it is levels of brightness, mid-tones, and shadows which can be adjusted and specified, *not transparency*. One of skill in the art would clearly understand that exposure levels, brightness, mid-tones, and shadows *are not transparency levels*. Any adjustment of exposure levels, brightness, mid-tones, and/or shadows would not effect any transparency.

Likewise, there is no disclosure in Gilman of a transparent range specification module, as claimed, and no disclosure of any transparency setting module setting a new degree of transparency based on a current setting of transparency *and* a transparency specified by a user.

Thus, Applicants submit that Gilman fails to anticipate claim 1. Further, for similar reasons, Gilman fails to disclose any of “specifying a degree of transparency”, “specifying an arbitrary range of an image as a transparent range”, and “setting a new degree of transparency ... based on a current setting of transparency ... and the degree of transparency specified by said step (a)”, as recited in claim 10.

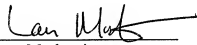
Therefore, Applicants submit that claims 1 and 10 are patentable over Gilman and that claims 4 and 13 are patentable at least by virtue of their dependencies and for the additional limitations specifically recited therein. Applicants respectfully request that the rejection of claims 1, 4, 10, and 13 be reconsidered and withdrawn.

Conclusion

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned attorney at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,



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